

Coast Guard, DHS

§ 15.1050

to latitude 35°07'00"N, longitude 120°46'00"W, thence easterly to latitude 35°07'00"N, longitude 120°43'00"W, thence northerly to latitude 35°10'24"N, longitude 120°43'00"W, thence westerly along the shoreline to latitude 35°09'42"N, longitude 120°46'00"W.

[CGD 92-061, 60 FR 24796, Jan. 4, 1995, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 15.1020 Hawaii.

The following offshore marine oil terminals located within U.S. navigable waters of the State of Hawaii: *Barbers Point, Island of Oahu*. The waters including the Hawaiian Independent Refinery, Inc. and the Chevron moorings lying within an area bounded by a line bearing 180 degrees true from Barbers Point Light to latitude 21°14.8'N, longitude 158°06.4'W, thence easterly to latitude 21°14.8'N, longitude 158°03.3'W, thence northeasterly to latitude 21°15.6'N, longitude 158°01.1'W, thence northwesterly to latitude 21°18.5'N, longitude 158°02.0'W, thence westerly along the shoreline to latitude 21°17.8'N, longitude 158°06.4'W.

§ 15.1030 New York and New Jersey.

The following U.S. navigable waters located within the States of New York and New Jersey when the vessel is making an intra-port transit, to include, but not limited to, a movement from a dock to a dock, from a dock to an anchorage, from an anchorage to a dock, or from an anchorage to an anchorage, within the following listed operating areas:

- (a) East River from Execution Rocks to New York Harbor, Upper Bay;
- (b) Hudson River from Yonkers, New York to New York Harbor, Upper Bay;
- (c) Raritan River from Grossman Dock/Arsenal to New York Harbor, Lower Bay;
- (d) Arthur Kill Channel;
- (e) Kill Van Kull Channel;
- (f) Newark Bay;
- (g) Passaic River from Point No Point to Newark Bay;
- (h) Hackensack River from the turning basin to Newark Bay; and
- (i) New York Harbor, Upper and Lower Bay.

NOTE TO § 15.1030: "Intra-port transit" as used in this section includes the movement

of a foreign-trade vessel inbound from sea from the point where a State-licensed pilot ceases providing pilotage to another point within the identified areas (*i.e.*, a dock or anchorage). Likewise, intra-port transit also includes the movement of a foreign-trade vessel outbound to sea from a point within the identified areas (*i.e.*, a dock or anchorage) to the point where a State licensed pilot begins providing pilotage.

[CGD 92-061, 60 FR 24796, May 10, 1995, as amended by USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§ 15.1040 Massachusetts.

The following U.S. navigable waters located within the State of Massachusetts when the vessel is in transit, but not bound to or departing from a port within the following listed operating areas:

- (a) Cape Cod Bay south of latitude 41°48'54"N;
- (b) The Cape Cod Canal; and
- (c) Buzzards Bay east of a line extending from the southernmost point of Wilbur Point (latitude 41°34'55"N longitude 70°51'15"W) to the easternmost point of Pasque Island (latitude 41°26'55"N longitude 70°50'30"W).

[CGD 92-061, 60 FR 24796, May 10, 1995, as amended by USCG-1998-4442, 63 FR 52189, Sept. 10, 1998]

§ 15.1050 North Carolina.

(a) The following navigable waters of the United States within the State of North Carolina when the vessel is maneuvering while berthing or unberthing, is approaching or passing through a bridge, or is making any intra-port transit, which transit may include but is not limited to movement from a dock to a dock, from a dock to an anchorage, from an anchorage to a dock, or from an anchorage to an anchorage, within either of the following areas:

- (1) The waters of the Cape Fear River from the boundary line established by 46 CFR 7.60 to Latitude 34° 16.5'N.
- (2) The waters of the Northeast Cape Fear River from its confluence with the Cape Fear River at Point Peter to Latitude 34°17'N.

(b) This subpart does not apply to any vessel on the waters specified in paragraph (a) of this section if the laws

§ 15.1101

of the State of North Carolina require a State-licensed pilot on the vessel.

[CGD 97-073, 63 FR 57255, Oct. 27, 1998]

Subpart J—Vessels Subject to Requirements of STCW

SOURCE: CGD 95-062, 62 FR 34539, June 26, 1997, unless otherwise noted.

§ 15.1101 General.

(a) *Definitions.* For purposes of this subpart, the term—

(1) *STCW* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995;

(2) *STCW Code* means the Seafarer's Training, Certification and Watchkeeping Code;

(3) *Seagoing vessel* means a self-propelled vessel in commercial service that operates beyond the Boundary Line established by 46 CFR part 7. It does not include a vessel that navigates exclusively on inland waters;

(4) *Rest* means a period of time during which the person concerned is off duty, is not performing work (which includes administrative tasks such as chart corrections or preparation of port-entry documents), and is allowed to sleep without being interrupted; and

(5) *Overriding operational conditions* means circumstances in which essential shipboard work cannot be delayed for safety or environmental reasons, or could not reasonably have been anticipated at the commencement of the voyage.

(6) *Vessel Security Officer (VSO)* means a person onboard the vessel accountable to the Master, designated by the Company as responsible for security of the vessel, including implementation and maintenance of the Vessel Security Plan, and for liaison with the Facility Security Officer and vessel's Company Security Officer.

(b) Except as otherwise provided in § 15.1103(d), the regulations in this subpart apply to seagoing vessels subject to STCW.

(c) A vessel that has on board a valid Safety Management Certificate and a copy of a Document of Compliance issued for that vessel in accordance with 46 U.S.C. 3205 is presumed in com-

46 CFR Ch. I (10-1-08 Edition)

pliance with the regulations in this subpart.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-2008-0028, 73 FR 29071, May 20, 2008]

§ 15.1103 Employment and service within restrictions of a license, document, and STCW endorsement or of a certificate of training.

(a) On board a seagoing vessel operating beyond the Boundary Line, no person may employ or engage any person to serve, and no person may serve, in a position requiring a person to hold an STCW endorsement, including master, chief mate, chief engineer, second engineer, officer of the navigational or engineering watch, or radio operator, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 10 or 12 of this chapter.

(b) On board a seagoing vessel of 500 GT or more as determined under the International Tonnage Convention, no person may employ or engage any person to serve, and no person may serve, as a rating forming part of the navigational watch, except for training, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(c) After January 31, 2002, on board a seagoing vessel driven by main propulsion machinery of 750 kW [1,000 hp] propulsion power or more, no person may employ or engage any person to serve, and no person may serve, in a rating forming part of a watch in a manned engine-room, nor may any person be designated to perform duties in a periodically unmanned engine-room, except for training or for the performance of duties of an unskilled nature, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(d) You must hold documentary evidence to show you meet the requirements of § 10.1005 (if licensed) or § 12.30-5 (if unlicensed) of this chapter if you are a master or crewmember on board a Ro-Ro passenger ship to which a certificate signifying compliance with the